

PRELIMINARY ACTION AGENDA
LAKE FOREST CITY COUNCIL

Regular Meeting of the City Council
December 7, 2010

Lake Forest City Hall
25550 Commercentre Drive
Council Chambers
Lake Forest, California 92630

PRELIMINARY ACTION AGENDA: The listed Action represents a brief synopsis of the Council action. The Council Minutes, when approved, stand as the official record of the meeting. This Preliminary Action Agenda is provided as quick reference only and is NOT intended to serve as any form of the official record and should not be relied upon in making important decisions. Before making important decisions, you should review the approved minutes.

CALL TO ORDER: 5:30 p.m.

ROLL CALL:	Council Members:	Kathryn McCullough Marcia Rudolph Mark Tettemer
	Mayor Pro Tem:	Richard T. Dixon
	Mayor:	Peter Herzog
	Council Member-Elect	Scott Voigts
	City Manager:	Robert C. Dunek
	City Attorney:	Scott C. Smith
	City Clerk:	Stephanie D. Smith

CLOSED SESSION 5:30 p.m.

There were no items scheduled for Closed Session.

PUBLIC SESSION 7:05 p.m.

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance to the Flag of our Country was led by Mayor Herzog.

PRESENTATIONS:

1. RESOLUTION RECOGNIZING OUTGOING COUNCIL MEMBER, MAYOR PRO TEM DIXON submitted by City Clerk. (F: 26.1)

ACTION: On motion by Council Member McCullough and second by

Council Member Tettemer, the City Council adopted Resolution No. 2010-45 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, COMMENDING COUNCIL MEMBER RICHARD T. DIXON FOR HIS NINETEEN YEARS OF SERVICE TO THE COMMUNITY AS A MEMBER OF THE LAKE FOREST CITY COUNCIL. MOTION CARRIED with Mayor Pro Tem Dixon absent.

2. COMMENTS BY OUTGOING CITY COUNCIL MEMBER submitted by City Clerk. (F: 26.9)

ACTION: There were no comments received from the outgoing Council Member.

RECESS

The City Council recessed at 7:07 p.m.

The City Council reconvened at 7:10 p.m.

CITY COUNCIL CEREMONIAL ITEMS

3. RESOLUTION CERTIFYING THE NOVEMBER 2, 2010 ELECTION submitted by City Clerk. (F: 28.2)

ACTION: On motion by Council Member Tettemer and second by Council Member McCullough, the City Council adopted Resolution No. 2010-46 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, RECITING THE FACT OF THE GENERAL MUNICIPAL ELECTION HELD ON NOVEMBER 2, 2010, DECLARING THE RESULT AND SUCH OTHER MATTERS AS PROVIDED BY LAW. MOTION CARRIED with Mayor Pro Tem Dixon absent.

4. INSTALLATION AND OATH OF OFFICE CEREMONY submitted by City Clerk. (F: 26.15)

ACTION: The City Clerk administered the Oath of Office to newly elected Council Members Peter Herzog and Kathryn McCullough. Pastor Mike Webb, Foothill Family Church, administered the Oath of Office to Council Member Scott Voigts. The City Clerk presented Certificates of Election.

5. COMMENTS BY NEW CITY COUNCIL MEMBERS submitted by City Clerk. (F: 26.9)

ACTION: The City Council received comments from new City Council Members.

RECESS: City Council recessed at 7:25 p.m. for the purpose of conducting Redevelopment Agency business.

RECONVENE: City Council reconvened at 7:26 p.m., with all Members present to continue regular City business.

PUBLIC COMMENTS: (F: 26.12)

The following Members of the public offered comments: Michael Thiele, Greg Collin.

CONSENT CALENDAR - WARRANT REGISTER: (Item No. 6)

6. CERTIFICATION OF WARRANT REGISTER submitted by Director of Finance/City Treasurer. (F: 30.11)

Council Member McCullough pulled the following warrants for separate consideration: Best Best & Kreiger and Farino Construction Services, Inc.

ACTION: On motion by Council Member McCullough and second by Council Member Tettermer, the City Council approved the warrant payable to Best Best & Kreiger. MOTION UNANIMOUSLY CARRIED.

ACTION: On motion by Council Member McCullough and second by Council Member Tettermer, the City Council approved the warrant payable to Farino Construction Services, Inc. MOTION UNANIMOUSLY CARRIED

ACTION: On motion by Council Member McCullough and second by Council Member Tettermer, the City Council approved the balance of the warrant register. MOTION UNANIMOUSLY CARRIED with Council Member Tettermer abstaining on the warrant payable to David Taussig & Associates.

CONSENT CALENDAR - MISCELLANEOUS: (Item Nos. 7- 15)

On motion by Council Member Tettemer, second by Council Member Voigts, the City Council approved Consent Calendar Item Nos. *7-12, *14-15 as submitted. MOTION UNANIMOUSLY CARRIED.

- *7. WAIVE READING OF ORDINANCES AND RESOLUTIONS submitted by City Clerk.

ACTION: The City Council approved the reading by title of all Ordinances and Resolutions. Said Ordinances and Resolutions which appear on the public agenda shall be determined to have been read by title and further reading waived.

- *8. MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL HELD ON NOVEMBER 2, 2010 submitted by City Clerk.

ACTION: The City Council approved the Minutes as submitted.

- *9. ADOPTION OF ORDINANCE 220 - LAKE FOREST TRANSPORTATION MITIGATION PROGRAM submitted by City Clerk. (F: 50.11C)

ACTION: The City Council: 1. Conducted second reading of Ordinance No. 220, entitled: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING SECTION 7.19.030(C) OF THE LAKE FOREST MUNICIPAL CODE RELATING TO THE LFTM BASELINE ADJUSTMENT IMPLEMENTATION PERIOD. 2. Adopted Ordinance No. 220.

- *10. RESOLUTION AMENDING THE PENALTY SCHEDULE FOR PARKING VIOLATIONS OCCURRING WITHIN THE CITY OF LAKE FOREST submitted by City Attorney. (F: 66.5)

ACTION: The City Council adopted Resolution No. 2010-47 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LAKE FOREST, CALIFORNIA, AMENDING THE PENALTY SCHEDULE FOR PARKING VIOLATIONS OCCURRING WITHIN THE CITY OF LAKE FOREST.

- *11. NOTICE OF COMPLETION: EL TORO PARK PLAYGROUND RENOVATION PROJECT PW 2007.22B submitted by Director of Public Works/City Engineer. (F: 34.3B PW 2007.22B)

ACTION: The City Council: 1. Found that CS Legacy Construction, of Chino, California, has completed construction on the El Toro Park Playground Renovation Project (PW 2007.22B). 2. Approved the Notice

of Completion and authorized the Mayor to execute the document on behalf of the City. 3. Authorized the City Clerk to submit said Notice of Completion for recordation with the County Recorder of Orange County, within 10 days of City Council approval, as required by Section 3093 of the California Civil Code. 4. Authorized payment to the contractor of the ten percent retention, in the amount of \$58,036.68, 30 days after the recording date of the Notice of Completion, providing no Stop Notices are on file with the City preventing the release of the final payment.

- *12. SECOND AMENDMENT TO THE AGREEMENT FOR CONSULTANT SERVICES WITH PCR SERVICES CORPORATION FOR AGENCY PERMITTING FOR THE PROPOSED SPORTS PARK submitted by the Director of Development Services. (F: 50.11A)

ACTION: The City Council: 1. Approved the Second Amendment to the agreement with PCR Services Corporation, substantially in the form attached. 2. Authorized the Mayor to sign the Second Amendment with PCR Services Corporation.

- *14. REVISION TO LIST OF BROKER/DEALERS FOR INVESTMENT PURCHASES submitted by Director of Finance/City Treasurer. (F: 30.5)

ACTION: The City Council authorized the substitution of Merrill Lynch, Pierce, Fenner & Smith, Inc. for Bank of America Securities, LLC as an approved broker/dealer for investment transactions.

- *15. ANNUAL REPORT OF FINANCIAL TRANSACTIONS AND HOUSING ACTIVITIES OF THE LAKE FOREST REDEVELOPMENT AGENCY submitted by Assistant City Manager. (F: 30.4) (X: A30.4)

ACTION: The City Council acting as both the City Council and the Redevelopment Agency Board, approved and authorized submittal of the Lake Forest Redevelopment Agency's Annual Report and the Housing and Community Development Report.

PULLED CONSENT CALENDAR ITEMS:

- 13. FIRST AMENDMENT TO AGREEMENT FOR SPORTS FIELD MAINTENANCE WITH MARINA LANDSCAPE submitted by Director of Public Works/City Engineer. (F: 34.3A)

This item was pulled by Council Member Rudolph for separate consideration.

ACTION: On motion by Council Member Rudolph and second by Council Member McCullough, the City Council: 1. Approved the First Amendment to Agreement for Sports Field Maintenance with Marina Landscape Inc. 2. Authorized the Mayor to sign, and the City Clerk to attest the agreement amendment, substantially in the form attached. MOTION UNANIMOUSLY CARRIED.

DISCUSSION/ACTION ITEMS:

16. ADOPTION OF THE 2010 CALIFORNIA BUILDING STANDARDS CODE AND FIRE CODE submitted by Director of Development Services. (F: 20.2)

ACTION: On motion by Mayor Herzog and second by Council Member McCullough, the City Council continued this item, requesting staff to prepare revisions to the report to include: 1. Re-adoption of the Amendments from 2007. 2. Removal of all proposed Amendments for 2010. 3. City Attorney will insure the 2007 code is consistent with Council's request and modify the proposed Ordinance. Staff will provide analysis and report any implications pertaining to the exclusion of the 2010 amendments. MOTION UNANIMOUSLY CARRIED.

17. REQUEST FOR APPOINTMENT - LEAGUE OF CALIFORNIA CITIES submitted by City Clerk. (F: 43.4B)

ACTION: The City Council made no appointments.

18. SELECTION OF MAYOR AND MAYOR PRO TEM FOR THE ENSUING YEAR submitted by City Clerk. (F: 26.11)

ACTION: 1. SELECTION OF MAYOR: Opened nominations for Mayor; closed nominations for Mayor; and declared Council Member Herzog selected as Mayor for the ensuing term. 2. SELECTION OF MAYOR PRO TEM: Opened nominations for Mayor Pro Tem; closed nominations for Mayor Pro Tem; and declared Council Member Tettemer as Mayor Pro Tem for the ensuing term.

CITY MANAGER'S REPORT: (F: 26.17)

City Manager Dunek presented no comments.

CITY COUNCIL COMMENTS: (F: 26.9)

Council Member McCullough offered comments.

Council Member Rudolph offered comments.

Council Member Tettemer offered comments.

Council Member Voigts offered comments.

Mayor Herzog offered comments.

ADJOURNMENT: 8:37 p.m.